

# House Amendment 8358

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1 1 Amend the amendment, H=8337, to House File 2634 as  
1 2 follows:  
1 3 #1. Page 1, by striking lines 30 through 36 and  
1 4 inserting the following: <Russian boar or European  
1 5 boar.>>  
1 6 #2. Page 1, line 41, by striking the word <injure>  
1 7 and inserting the following: <attempt to kill>.  
1 8 #3. Page 1, by inserting after line 46 the  
1 9 following:  
1 10 <#\_\_\_\_. Page 3, by striking lines 28 and 29 and  
1 11 inserting the following: <evidence of ownership.>>  
1 12 #4. Page 1, by inserting after line 49 the  
1 13 following:  
1 14 <#\_\_\_\_. Page 3, by striking lines 32 and 33 and  
1 15 inserting the following: <responsible party.>>  
1 16 #5. Page 3, by inserting after line 9 the  
1 17 following:  
1 18 <#\_\_\_\_. Page 7, by inserting after line 22 the  
1 19 following:  
1 20 <Sec. \_\_\_\_ NEW SECTION. 171.12 FERAL SWINE  
1 21 INDEMNITY FUND.  
1 22 1. A feral swine indemnity fund is created as a  
1 23 separate fund in the state treasury under the control  
1 24 of the department. The general fund of the state is  
1 25 not liable for claims presented against the indemnity  
1 26 fund.  
1 27 2. a. The feral swine indemnity fund consists of  
1 28 any moneys appropriated by the general assembly and  
1 29 any other moneys available to and obtained or accepted  
1 30 by the department from the federal government or  
1 31 private sources for placement in the fund.  
1 32 Notwithstanding section 12C.7, subsection 2, interest  
1 33 or earnings on moneys deposited in the fund shall be  
1 34 credited to the fund.  
1 35 3. The moneys deposited in the feral swine  
1 36 indemnity fund are appropriated to the department  
1 37 exclusively for paying claims of persons who purchased  
1 38 feral swine on or before the effective date of this  
1 39 Act for purposes of maintaining custody or control of  
1 40 the feral swine on land as part of a business, if the  
1 41 business's purpose is to do any of the following:  
1 42 a. Provide persons with the opportunity to hunt  
1 43 the feral swine on the land.  
1 44 b. Breed the swine for transfer to a person  
1 45 described in paragraph "a".  
1 46 4. In order to be eligible to file a claim for  
1 47 indemnification, a person shall do all of the  
1 48 following:  
1 49 a. File an application, including supporting  
1 50 documentation, with the department as required by the  
2 1 department pursuant to procedures established by the  
2 2 department. The application shall state the amount of  
2 3 the claim. The application shall be filed with the  
2 4 department not later than August 1, 2006.  
2 5 b. Relinquish custody or control of the feral  
2 6 swine to an authorized department or a local  
2 7 authority, as required by the department of  
2 8 agriculture and land stewardship.  
2 9 5. The department shall determine the validity of  
2 10 a claim which is submitted by an eligible person as  
2 11 part of the application for indemnification as  
2 12 provided in this section. The dollar value of a claim  
2 13 is one dollar per pound for each feral swine which the  
2 14 person relinquishes custody or control of to an  
2 15 authorized department or a local authority as provided  
2 16 in this section.  
2 17 6. Upon a determination that the amount claimed in  
2 18 a person's application is valid, the department shall  
2 19 provide for payment of one hundred percent of the  
2 20 amount claimed. The department shall pay all valid  
2 21 claims not later than September 15, 2006. If the  
2 22 department determines that there are insufficient  
2 23 moneys in the feral swine indemnity fund to fully  
2 24 satisfy the amounts claimed in valid applications

2 25 submitted by all eligible persons, the department  
2 26 shall prorate the amount paid to all eligible persons.  
2 27 7. A person's submission of an application under  
2 28 this section constitutes a waiver of any further claim  
2 29 by the person against the state regarding the feral  
2 30 swine.

2 31 8. This section is repealed on September 16, 2006.  
2 32 Any moneys remaining in the feral swine indemnity fund  
2 33 on that date shall be distributed as follows:

2 34 a. The amount of moneys which were contributed to  
2 35 the fund by persons other than a state or federal  
2 36 government source shall be refunded to the respective  
2 37 persons. If the department determines that there are  
2 38 insufficient moneys in the fund to fully satisfy the  
2 39 amounts for refunds to all persons, the department  
2 40 shall prorate the amount of refunds paid to those  
2 41 persons based on their contributions.

2 42 b. Any remaining moneys that were appropriated by  
2 43 a state or federal government source shall be repaid  
2 44 to that source. If the department determines that  
2 45 there are insufficient moneys in the fund to fully  
2 46 satisfy the amounts for repayments to these sources,  
2 47 the department shall prorate the amounts repaid to  
2 48 those sources based on the amounts appropriated.

2 49 9. This section does not imply any guarantee or  
2 50 obligation on the part of the state of Iowa, the  
3 1 department of agriculture and land stewardship, or any  
3 2 state agency, employee, or official, either elective  
3 3 or appointive.>>

3 4 #6. Page 3, by inserting after line 15 the  
3 5 following:

3 6 <<Sec. \_\_\_\_ . ADOPTION OF RULES. The department of  
3 7 agriculture and land stewardship shall adopt all rules  
3 8 necessary to administer this Act by July 1, 2006. If  
3 9 the department adopts the rules pursuant to section  
3 10 17A.4, subsection 2, and section 17A.5, subsection 2,  
3 11 it shall immediately readopt the rules as provided in  
3 12 section 17A.4, subsection 1, and section 17A.5,  
3 13 subsection 1.>

3 14 #7. By renumbering as necessary.

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3 18 \_\_\_\_\_  
3 18 GREINER of Washington

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3 22 \_\_\_\_\_  
3 22 WHITAKER of Van Buren

3 23 HF 2634.202 81

3 24 da/sh/4419